

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SECTRA COMMUNICATIONS AB,

Plaintiff,

v.

ABSOLUTE SOFTWARE, INC. and
NETMOTION SOFTWARE, INC.,

Defendants.

Case No. 2:22-cv-0353-RSM

**JOINT MOTION AND PROPOSED
ORDER REGARDING CASE
DEADLINES**

NOTE ON MOTION CALENDAR:

DECEMBER 2, 2022

The parties to the above-captioned action (the “Parties”), hereby jointly move the Court to modify the following dates from the case schedule, *see* Dkt. No. 92, for good cause:

Event	Current Date (Dkt. No. 92)	Joint Proposed Date
Preliminary Infringement Contentions	12/8/2022	12/22/2022
Preliminary Invalidity Contentions	12/28/2022	1/23/2023
Exchange Terms for Construction	1/17/2023	1/31/2023
Exchange Proposed Constructions and Extrinsic Evidence	1/31/2023	2/14/2023
Opening Claim Construction Reports	2/13/2023	2/27/2023
Preliminary Claim Chart	3/9/2023	3/23/2023
Rebuttal Claim Construction Reports	3/13/2023	3/27/2023
Joint Claim Chart and Prehearing Statement	4/7/2023	4/21/2023
Joinder of Parties	2/9/2023	2/9/2023 (unchanged)
Amended Pleadings	2/21/2023	2/21/2023 (unchanged)
Opening claim construction briefs	4/21/2023	5/5/2023
Responsive claim construction briefs	5/5/2023	5/19/2023

Event	Current Date (Dkt. No. 92)	Joint Proposed Date
<i>Markman</i> hearing	5/26/2023 at 9am	6/9/2023 at 9am or thereafter at the Court's convenience
Expert disclosures/reports	6/15/2023	7/11/2023
Discovery motions due	7/13/2023	7/13/2023 (unchanged)
Rebuttal expert disclosures/reports	7/14/2023	8/15/2023
Fact Discovery completed	8/14/2023	8/18/2023
Expert Discovery completed	8/14/2023	9/8/2023
Dispositive motions and <i>Daubert</i> motions	9/8/2023	9/29/2023
Attorney settlement conference deadline	11/3/2023	11/17/2023
CR 39.1 mediation deadline	11/13/2023	11/28/2023
Motions in limine due	11/13/2023	12/1/2023
Agreed pretrial order due	11/29/2023	12/20/2023
Trial briefs, proposed voir dire questions, and jury instructions due	12/6/2023	1/9/2024
Pretrial conference	To be scheduled by the Court	To be scheduled by the Court

Event	Current Date (Dkt. No. 92)	Joint Proposed Date
Jury trial (5 days)	12/11/2023	1/22/2024 or thereafter at the Court's convenience

The parties have met and conferred and agree that, in light of immovable conflicts by team members on both parties—including counsel at trial in the first half of December 2022, other counsel at trials in early February 2023, in the second half of March 2023, and in mid-April 2023, as well as other counsel on parental leave—and the upcoming holidays and court closures, the dates for the exchange of infringement and invalidity contentions should be extended to December 22, 2022 and January 23, 2023, respectively (instead of December 8, 2022 and December 28, 2022). In order to allow sufficient time for the Parties to review and analyze the infringement and invalidity contentions, the Parties further agree that the dates for claim construction exchanges and briefing should likewise be extended as noted on page 2 above.

Additionally, the Parties recognize that the new proposed date for the close of claim construction briefing falls only one week before the currently scheduled *Markman* hearing. The Parties have jointly proposed the above revised case schedule dates for the *Markman* hearing and beyond in the greyed-out rows on page 3-4 above in order to allow the Court additional time to review the claim construction briefs before the *Markman* hearing if desired. In order to allow time to incorporate the Court's claim construction order into expert reports, the Parties have also jointly proposed further modifications to the expert report and subsequent deadlines to accommodate an extension of the date for the *Markman* hearing. The modifications also allow the Court additional time to consider the trial briefs, proposed voir dire questions, and jury questions before holding

the pretrial conference, and to start the jury trial in a time period that is uninterrupted by end of year holidays and the Court's closures around and observance of the holiday season. The Parties' jointly proposed case schedule modifications are modest, comport with the Local Civil Rules, and in total only move the trial date by slightly more than a month.

Therefore, the Parties jointly request that the Court enter the above modifications to the case schedule for good cause.

DATED this 2nd day of December, 2022

Respectfully submitted,

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Case No. 2:22-cv-0353-RSM

**[PROPOSED] ORDER GRANTING
JOINT MOTION REGARDING CASE
DEADLINES**

This matter comes before the Court on the Parties' joint motion regarding case deadlines. The Court, having reviewed the Motion, GRANTS the Motion. The case schedule is modified as follows:


Event	Current Date (Dkt. No. 92)	Joint Proposed Date
Preliminary Infringement Contentions	12/8/2022	12/22/2022
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Jury trial (5 days)	12/11/2023	1/22/2024 or thereafter at the Court's convenience

IT IS SO ORDERED.

DATED this 7th day of December, 2022.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE